

Re-recorded to correct legal description.

8/04/06 8:58:59 *BC*
BK 535 PG 708
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

7/24/06 9:09:39
BK 534 PG 687
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

INDEXING INSTRUCTIONS:

**Lot 58, Acree Place Subdivision,
DeSoto County, Mississippi**

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, the undersigned **J P MORGAN CHASE BANK, AS TRUSTEE**, (herein referred to as Grantor), does hereby sell, convey and specially warrant unto **JERRY BAIN and RANDY BAIN D/B/A BAIN INVESTMENTS** (herein referred to as Grantee), the following described property located and situated in DESOTO County, Mississippi, to-wit:

Lot 58, Acree Place Subdivision, as per plat thereof recorded in the official map of the town of Hernando, recorded in Plat Book 8, Pages 35-36, in which recorded plat reference is made of a more particular description. Said lot being situated in Sections 18 and 19, Township 3, Range 7.

Being the same property conveyed to Ann B. Miller by Special Warranty Deed from Mel Martinez, Secretary of Housing and Urban Development, dated 05-21-01 and filed in Book 432, Page 501 in the office of the Chancery Clerk of DeSoto County, Mississippi.

This conveyance is made subject to all prior mineral reservations of record pertaining to subject property. TO HAVE AND TO HOLD the property, together with the rights and appurtenances thereto belonging, unto Grantee and Grantee's heirs and assigns, forever; and Grantor does hereby bind Grantor and Grantor's successors and assigns to WARRANT AND FOREVER DEFEND the property unto Grantee and Grantee's heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise.

It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis. Said tax proration shall be considered final settlement with no further adjustment between Buyer and Seller after closing.

IN WITNESS WHEREOF, the Grantor, by and through the undersigned officer, has executed this Deed on this the 18th day of July 2006.

J P MORGAN CHASE BANK, AS TRUSTEE, BY:
RESIDENTIAL FUNDING CORPORATION, ITS
ATTORNEY IN FACT

By *Olivia Ruiz*
Its Vice President **Olivia Ruiz**

POWER OF ATTORNEY RECORDED IN
BOOK 94, PAGE 374



STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for said county and state, the within named Olivia Ruiz, who acknowledged to me that he/she is the Vice President of RESIDENTIAL FUNDING CORPORATION, ATTORNEY IN FACT FOR J P MORGAN CHASE BANK, AS TRUSTEE, and that for and on behalf of said corporation and as its act and deed, he/she signed and delivered the above and foregoing instrument of writing on the day and in the year therein mentioned, being first duly authorized so to do.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 18th day of July 2006.


NOTARY PUBLIC

My Commission Expires:



GRANTOR:

J P MORGAN CHASE BANK, AS TRUSTEE
BY: RESIDENTIAL FUNDING CORPORATION
9350 WAXIE WAY, SUITE 100
SAN DIEGO, CA 92123
TELEPHONE: (800) 750-0011

GRANTEE:

JERRY BAIN & RANDY BAIN
D/B/A BAIN INVESTMENTS
ADDRESS: 3540 CLEVELAND ROAD
HERNANDO, MS 38632
TELEPHONE: 901-351-2306

PREPARED BY:

DAVID K. MCGOWAN
ATTORNEY AT LAW
P. O. BOX 5278
JACKSON, MS 39296-5278
TELEPHONE: (601) 982-8504

AFFIDAVIT

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

BEFORE ME, the undersigned authority in and for said county and state, this day personally came and appeared **Olivia Ruiz**, who being by me first duly sworn according to law says on oath as follows, to-wit:

1. — I executed the foregoing document as Vice President (title) of Residential Funding Corporation, Attorney in Fact for J P Morgan Chase Bank, as Trustee.

2. The power of attorney under which I executed the foregoing document is valid and in full force and effect, and I do not have any knowledge of termination of the power by revocation or of the death, disability or incapacity of J P Morgan Chase Bank, as Trustee.

3 This affidavit is executed pursuant to the Uniform Durable Power of Attorney Act of the State of Mississippi, as set forth in Section 87-3-113, et seq. of the Mississippi Code of 1972, as amended, and to provide conclusive proof of the non-revocation and non-termination of the power of attorney under which the foregoing document was executed.


Olivia Ruiz
AFFIANT **Olivia Ruiz** J P

SWORN TO AND SUBSCRIBED BEFORE ME, this the _____ day of July 2006.


NOTARY PUBLIC

My Commission Expires: _____

